

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PENNSYLVANIA PUBLIC SCHOOL  
EMPLOYEES' RETIREMENT SYSTEM,  
individually and on behalf of all others similarly  
situated,

Plaintiff,

- v -

BANK OF AMERICA CORPORATION, et al.,

Defendants.

11 Civ. 733 (WHP)

**NOTICE OF MOTION OF  
DEFENDANT NEIL COTTY FOR  
WITHDRAWAL AND  
SUBSTITUTION OF COUNSEL**

PLEASE TAKE NOTICE that, pursuant to Local Civil Rule 1.4 and upon the attached Declaration of Brian M. Burnovski, Defendant Neil Cotty hereby moves the Court for an order permitting the withdrawal of his present counsel of record, Jay B. Kasner, Christopher P. Malloy and Scott D. Musoff of the law firm Skadden, Arps, Slate, Meagher & Flom LLP ("Skadden"), and permitting the appearance on his behalf of Lawrence Portnoy, Charles S. Duggan and Brian M. Burnovski of the law firm Davis Polk & Wardwell LLP.

Mr. Cotty, Skadden, Arps, Slate, Meagher & Flom LLP and Davis Polk & Wardwell LLP each consent to this withdrawal and substitution of counsel. Counsel for the plaintiff has been informed of the proposed withdrawal and substitution and do not oppose this motion.

This motion is not made for purposes of delay or for any other improper purpose.

Accordingly, Mr. Cotty respectfully requests that the Court enter an order reflecting this change, that all necessary changes be made to the Court's records and ECF and that all future communications regarding this matter with respect to Mr. Cotty be directed to the following attorneys at the law firm of Davis Polk & Wardwell LLP:

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Dated: New York, New York  
May 1, 2013

By: 

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